UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,490	02/11/2000	Christopher Scott Weber	07099.0773	5232

826 7590 06/04/2004

ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER	
KARMIS, STEFANOS	
ART UNIT	**PAPER NUMBER**
3624	

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/502,490	WEBER, CHRISTOPHER SCOTT	
	Examiner	Art Unit	
	Stefano Karmis	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 March 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11-29* is/are rejected.

7)☒ Claim(s) *22 and 24* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The following communication is in response to Applicant's amendment filed on 23 March 2004.

Status of Claims

2. Claim 11 has been amended. Claims 12-15 have been previously presented. Claims 16-29 are newly added. Therefore claims 11-29 are under prosecution in this application.

Summary of this Office Action

3. Applicant's amendment filed on 23 March 2004 has been fully considered and discussed in the next section below or within the following office action. Claims 11-29 are rejected based upon the prior art cited below, and Applicant's request for allowance is respectfully denied.

Response to Arguments

4. Applicant's arguments with respect to claims 11-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claims 22 and 24 are objected to because of the following informalities: Claims 22 and 24 reference steps such a) thru g) and step d) which are not present in the claims they are dependent from. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 17, 18, 20, 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Stringfellow Jr. (hereinafter Stringfellow) U.S. Patent 5,652,759.

Claim 17, Stringfellow discloses a computer-readable medium containing instructions for controlling information in a signal conversion database comprising: receiving flight information from a computer reservation system and storing the flight information in a signal conversion database, sorting retrieved flight information into a desired sequence, converting the flight

information in the signal conversion database into an audio format file such that the data is stored in the desired sequence, providing the audio format file containing the flight information to an antenna and radio broadcasting the flight information in the audio format file in the desired sequence (column 3, line 34 thru column 4, line 58 and Figure 2).

Claim 18, sorting retrieved flight information into a desired sequence, radio broadcasting the flight information in the desired sequence (column 3, line 34 thru column 4, line 58 and Figure 2)

Claim 20, verifying that the flight information is current before storing the flight information in the signal conversion database (column 6, lines 42-44).

Claim 22, Stringfellow teaches verifying flight information is current by the use of programs and commands to send real-time flight information which is done in a predetermined period of time to be considered real-time and establishing communications with the flight information file server based on determined that the flight information has not been received in that period of time (column 6, lines 15-44).

Claim 23, Stringfellow teaches retrieving flight information from a computerized reservation system and storing the flight information into a signal conversion database (column 3, line 34 thru column 4, line 57 and Figure 2).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

9. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 11-16, 19, 21, and 24-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stringfellow Jr. (hereinafter Stringfellow) U.S. Patent 5,652,759 in view of Richardson Jr. et al. (hereinafter Richardson) U.S. Patent 5,652,785 in further view of Salter Jr. et al. (hereinafter Salter) U.S. Patent 4,975,696.

Regarding independent claim 11, Stringfellow teaches a computer-readable medium containing instructions for controlling a data processing system to perform a method for audible

announcement generation, comprising: storing flight information in a signal conversion database, retrieving flight information from the signal conversion database, sorting retrieved flight information into a desired sequence, radio broadcasting the flight information in the desired sequence (column 3, line 34 thru column 4, line 58 and Figure 2); differentiating different locations in the flight information (column 3, lines 34-42); determining an end program sequence termination request (column 4, lines 65 thru column 5, line 9 and Figures 2 and Figures 3); verifying that the flight information is current before storing the flight information in the signal conversion database (column 6, lines 42-44).

Stringfellow fails to specify radio broadcasting a standardized opening message to the customer. Richardson teaches a method to convert stored digital representations into analog audio signals for services including airline flight information (Abstract and column 4, lines 35-40). The audio signals will provide a welcome message to a user accessing the system (column 11, lines 32-59). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention, that the radio broadcasting teachings of airline flight information taught by Stringfellow could be modified to include broadcasting a welcome message before the flight information. There is sufficient motivation to combine the references; Stringfellow and Richardson both teach audio broadcasting of stored airline flight information using a computer-readable medium over a communication network to a user.

Stringfellow teaches a computer-readable medium to radio broadcast flight information. This flight information includes all the pertinent data for flights arriving and departing from different locations (column 3, lines 34-42). Stringfellow fails to specify that the flight information for the given city location contains a city code. The use of a city code as part of

flight information is well known in the prior art. Salter teaches a real-time flight and destination display that provides pertinent flight information to passengers. In this flight information, the format includes city codes with the use of three characters (column 3, lines 60 thru column 4, line 7 and column 4, lines 38-45). Therefore it would be obvious to one of ordinary skill in the art that the teachings of Stringfellow which include all pertinent flight information for a given location could easily be modified to specify that the flight information contains the three character city code as is widely used in the prior art to further distinguish the flight information. There is sufficient motivation to combine these references since Salter provides flight information to a passenger and Stringfellow provides for flight information to a user both using a computer-implemented apparatus.

Claim 12, Stringfellow teaches determining an end program sequence termination request (column 4, lines 65 thru column 5, line 9 and Figures 2 and Figures 3). Stringfellow fails to teach terminating the process by pressing a designated key and determining whether it has been pressed. Official Notice is taken that the use of keys for start/stop processing is old and well known in the art. Therefore it would have been obvious to someone of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Stringfellow to include terminating the process by pressing a designated key and determining whether it has been pressed since it provides an efficient manner for a computer-readable medium to process commands, such as start/stop.

Claim 13, Stringfellow teaches verifying flight information is current by the use of programs and commands to send real-time flight information which is done in a predetermined period of time to be considered real-time and establishing communications with the flight information file server based on determined that the flight information has not been received in that period of time (column 6, lines 15-44).

Claim 14, Stringfellow teaches retrieving flight information from a computerized reservation system and storing the flight information into a signal conversion database (column 3, line 34 thru column 4, line 57 and Figure 2).

Claim 15, Stringfellow teaches converting the flight information retrieved by said retrieving step from the computerized reservation system into an audio file format (column 4, lines 41-50, and column 5, lines 42-50 and Figure 2).

Claim 16, Stringfellow and Salter fail to teach that the city codes are converted into city names. Official Notice is taken that the three character city codes are standard in the prior art. It would have therefore, been obvious to one of ordinary skill in the art at the time of the invention, that the teachings of Salter could have been modified to include that the three character city code in the flight information be converted to the full city name because these three character abbreviations are an efficient manner to conserve space when referencing a city and the codes are well known to the city they abbreviate.

Claim 19, Stringfellow teaches radio broadcasting the flight information in the desired sequence (column 4, lines 41-50, and column 5, lines 42-50 and Figure 2). Stringfellow fails to specify radio broadcasting a standardized opening message to the customer. Richardson teaches a method to convert stored digital representations into analog audio signals for services including airline flight information (Abstract and column 4, lines 35-40). The audio signals will provide a welcome message to a user accessing the system (column 11, lines 32-59). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention, that the radio broadcasting teachings of airline flight information taught by Stringfellow could be modified to include broadcasting a welcome message before the flight information. There is sufficient motivation to combine the references; Stringfellow and Richardson both teach audio broadcasting of stored airline flight information using a computer-readable medium over a communication network to a user.

Claim 21, Stringfellow teaches determining an end program sequence termination request (column 4, lines 65 thru column 5, line 9 and Figures 2 and Figures 3). Stringfellow fails to teach terminating the process by pressing a designated key and determining whether it has been pressed. Official Notice is taken that the use of keys for start/stop processing is old and well known in the art. Therefore it would have been obvious to someone of ordinary skill in the art at the time of the Applicant's invention to modify the teachings of Stringfellow to include terminating the process by pressing a designated key and determining whether it has been pressed since it provides an efficient manner for a computer-readable medium to process commands, such as start/stop.

Claim 24, Stringfellow teaches a computer-readable medium to radio broadcast flight information. This flight information includes all the pertinent data for flights arriving and departing from different locations (column 3, lines 34-42). Stringfellow fails to specify that the flight information for the given city location contains a city code. The use of a city code as part of flight information is well known in the prior art. Salter teaches a real-time flight and destination display that provides pertinent flight information to passengers. In this flight information, the format includes city codes with the use of three characters (column 3, lines 60 thru column 4, line 7 and column 4, lines 38-45). Therefore it would be obvious to one of ordinary skill in the art that the teachings of Stringfellow which include all pertinent flight information for a given location could easily be modified to specify that the flight information contains the three character city code as is widely used in the prior art to further distinguish the flight information. There is sufficient motivation to combine these references since Salter provides flight information to a passenger and Stringfellow provides for flight information to a user both using a computer-implemented apparatus.

Claim 25, Stringfellow and Salter fail to teach that the city codes are converted into city names. Official Notice is taken that the three character city codes are standard in the prior art. It would have therefore, been obvious to one of ordinary skill in the art at the time of the invention, that the teachings of Salter could have been modified to include that the three character city code in the flight information be converted to the full city name because these three character

abbreviations are an efficient manner to conserve space when referencing a city and the codes are well known to the city they abbreviate.

Regarding independent claim 26, Stringfellow teaches a computer-readable medium containing instructions for controlling data processing system to perform a method for audible announcement generation comprising: receiving flight information from a computer reservation system and storing the flight information in a signal conversion database, differentiating different city locations in the flight information, converting the flight information in the signal conversion database into an audio format, providing the audio format file containing the flight information to an antenna and radio broadcasting the flight information in the audio format file (column 3, line 34 thru column 4, line 58 and column 4, lines 41-50, and column 5, lines 42-50 and Figure 2).

Stringfellow teaches a computer-readable medium to radio broadcast flight information. This flight information includes all the pertinent data for flights arriving and departing from different locations (column 3, lines 34-42). Stringfellow fails to specify that the flight information for the given city location contains a city code. The use of a city code as part of flight information is well known in the prior art. Salter teaches a real-time flight and destination display that provides pertinent flight information to passengers. In this flight information, the format includes city codes with the use of three characters (column 3, lines 60 thru column 4, line 7 and column 4, lines 38-45). Therefore it would be obvious to one of ordinary skill in the art that the teachings of Stringfellow which include all pertinent flight information for a given location could easily be modified to specify that the flight information contains the three

character city code as is widely used in the prior art to further distinguish the flight information. There is sufficient motivation to combine these references since Salter provides flight information to a passenger and Stringfellow provides for flight information to a user both using a computer-implemented apparatus.

Claim 27, sorting retrieved flight information into a desired sequence and radio broadcasting the flight information in the desired sequence (column 4, lines 28-50, and column 5, lines 42-50).

Claim 28, radio broadcasting the flight information in the desired sequence, and determining an end program sequence termination request (column 4, lines 28-50, and column 5, lines 42-50). Stringfellow fails to specify radio broadcasting a standardized opening message to the customer. Richardson teaches a method to convert stored digital representations into analog audio signals for services including airline flight information (Abstract and column 4, lines 35-40). The audio signals will provide a welcome message to a user accessing the system (column 11, lines 32-59). Therefore it would have been obvious to one of ordinary skill in the art at the time of the Applicant's invention, that the radio broadcasting teachings of airline flight information taught by Stringfellow could be modified to include broadcasting a welcome message before the flight information. There is sufficient motivation to combine the references; Stringfellow and Richardson both teach audio broadcasting of stored airline flight information using a computer-readable medium over a communication network to a user.

Claim 29, Stringfellow and Salter fail to teach that the city codes are converted into city names. Official Notice is taken that the three character city codes are standard in the prior art. It would have therefore, been obvious to one of ordinary skill in the art at the time of the invention, that the teachings of Salter could have been modified to include that the three character city code in the flight information be converted to the full city name because these three character abbreviations are an efficient manner to conserve space when referencing a city and the codes are well known to the city they abbreviate.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefano Karmis whose telephone number is (703) 305-8130. The examiner can normally be reached on M-F: 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on (703) 308-1065. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Respectfully Submitted
Stefano Karmis
20 May 2004

HANI M. KAZIMI
PRIMARY EXAMINER